

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 23-MJ-545 GJF

APRIL MARIE MILLER,

Defendant.

WAIVER OF PRELIMINARY HEARING
AND REQUEST FOR TOLLING OF GRAND JURY PRESENTMENT

1. I am the defendant in this criminal proceeding.

2. I understand that I am entitled to a preliminary hearing, but I agree to waive my right to that hearing and I also agree to waive my right to have my case presented to a grand jury within thirty (30) days of my arrest pursuant to 18 U.S.C. § 3161(b) in exchange for the following:

- ☒ Pre-indictment discovery
- ☒ Pre-indictment plea negotiations

[] _____

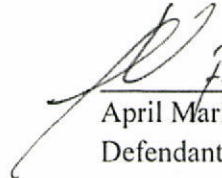
[] _____

3. I understand that I have the right to have my case presented to a grand jury within thirty (30) days of my arrest pursuant to 18 U.S.C. § 3161(b).

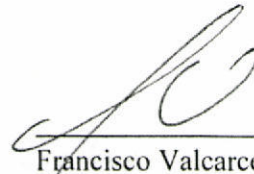
4. I hereby request a tolling of grand jury presentment pursuant to 18 U.S.C. § 3161(h) (7)(A) for an additional period not to exceed 75 days from the date of my arrest for a total of 105 days. By that I mean there be a 75-day period of excludable time for the purposes of determining compliance with the speedy indictment provision of 18 U.S.C. § 3161(b). I further

request that an Order be entered providing that this time period shall be tolled and excluded from the speedy indictment time computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

5. If I cannot reach an agreement with the United States Attorney's Office, I understand that my case will be presented to a grand jury at a later date, consistent with this waiver.


F. Valcarcel APD w/
April Marie Miller
Defendant
Ms. Miller consent

I have reviewed the foregoing document in (English/Spanish) with my client and represent to the Court that he/she understands it. I further represent to the Court that I believe it is in my client's best interest to agree to the contents of this document.


Francisco Valcarcel
Attorney for Defendant

Date: 3/29/23